

App. Ser. No. 09/852,717
Reply to Office Action of March 28, 2006

Docket No. AB-1760 US
Ref. No. OPP990852US

REMARKS/ARGUMENTS

The above amendment and the following remarks are in reply to the non-final Office action of 03/28/2006. In light of this reply, reconsideration and further examination of this application are respectfully requested.

39 claims were pending in this application. In the above amendment, three independent claims (1, 7 and 21) were amended. Accordingly, 39 claims remain pending in this application for reconsideration and further examination.

In Section 1 of the Office action, the Examiner allowed claims 11 – 20 and 25 – 39, for which the Applicant expresses appreciation.

In Section 2 of the Office action, the Examiner objected to claims 3 – 5, 10, 23 and 24 as being dependent upon a rejected base claim, but indicated they would be allowable if appropriately amended, for which the Applicant expresses appreciation. However, in light of the above amendment and the remarks below, it is respectfully submitted that this objection has been rendered moot, and that these claims are now allowable.

In Section 4, of the Office action, the Examiner rejected claims 1, 2, 6 – 9, 21 and 22 under 35 U.S.C. 103(a) as being unpatentable over Shimizu et al. (U.S. Pat. 5,085,973) in view of Akiyama et al. (U.S. Pat. 5,754,263), and further in view of Itoh (U.S. Pat. 5,847,793). In light of the above amendment to independent claims 1, 7 and 21 and the remarks that follow, it is respectfully submitted that this rejection has been rendered moot, and that these claims, as well as those respectively dependent from them, are now allowable over the art of record.

In particular, claims 1, 7 and 21 have been amended to incorporate the limitations:

“an insulating substrate having a flat surface”;

“forming a transparent electrode on a flat surface of a substrate”; and,

“a transparent electrode formed on the flat surface of the insulating substrate.”

With reference to Fig. 1 of the Shimizu ‘973, the examiner evidently contends that the “oriented plate 3” therein corresponds with the “insulating substrate” of the present invention. However, “the oriented plate 3” is in fact a coated layer formed on the “transparent electrode 2c”, used for aligning liquid crystals (‘973, Fig. 1). Accordingly, the surface of the oriented plate

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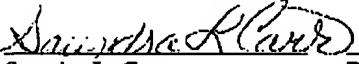
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3 is not flat and fails to meet the above limitations. An examination of the Akiyama et al. '263 and the Itoh '793 secondary references reveals that they likewise fail to teach or even suggest these limitations. Accordingly, it is respectfully submitted that independent claims 1, 7 and 21, as well as the claims respectively dependent from them, are patentably distinguishable over these references.

As an additional grounds for distinction, the Examiner refers to Figs. 3(a) – 3(c) of the Akiyama et al. '263 reference as showing "a protrusion formed on a black matrix." However, the Applicant notes that these figures do not show the final structure of the Akiyama et al. product at all, but rather, temporary, intermediate structures occurring during the manufacture of the product. It should be noted that the claims of the present invention are directed to the final structures of an LCD product, not any intermediate structures formed during its manufacture, and accordingly, it is inappropriate to cite Figs. 3(a) – 3(c) of Akiyama et al. '263 as teaching the claim limitations of the present invention.

In light of the foregoing reply, it is respectfully submitted that claims 1 – 39 are allowable over the art of record. Applicant therefore respectfully requests that a timely Notice of Allowance be issued in this case.

If there are any questions regarding this Reply, the Examiner is invited to contact the undersigned at the number indicated below.

Certification of Facsimile Transmission	
I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
 Saundra L. Carr	June 19, 2006 Date of Signature

Respectfully submitted,



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